



UTTLESFORD DISTRICT COUNCIL

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Chief Executive: John Mitchell

MS S Heritage

Dated:18 October 2023

Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Schedule 2 Part 3 Class I, J, L, M, O, Q, R & S of the Town and Country Planning
(General Permitted Development)(England) Order 2015

Application Number: **UTT/23/2128/PAQ3**

The Uttlesford District Council, as local planning authority, hereby confirm that their **prior approval is not required** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the approved details shown below:

Address of the proposed development:

Barn Rear Of Mulberry House Wenden Road Arkesden

Description of the proposed development:

Prior Notification of change of use of agricultural building to 3 no. dwellings.

Details approved by the local planning authority:

Plan Reference/Version	Plan Type/Notes	Received
BRD/23/040/001-C	Combined	21/08/2023
BRD/23/040/002-A AMENDED	Combined	13/10/2023
BRD/23/040/003-A AMENDED	Combined	13/10/2023

Prior approval is approved subject to the following conditions (where applicable):

- 1 The proposed change of use hereby approved of an agricultural building into 3 no. dwellings (Use Class C3) as detailed in the Town and Country Planning (General Permitted Development) Order 2015, Part 3, Class Q is acceptable and Prior Approval is not required.

REASON: In accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 2 The proposed development under Class Q(a) and Class Q(b) hereby approved must be completed within three years starting with the prior approval date.

REASON: In accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 3 The development shall be carried out strictly in accordance with the details submitted in the application unless the Local Planning Authority and the developer agree otherwise in writing.

REASON: To comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 4 Prior to commencement of the development hereby approved, a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination shall be submitted to and approved in writing by the Local Planning Authority. This report shall adhere to British Standard 10175:2011.

If shown to be necessary by the Phase 1 Desk Study and prior to occupation of the development hereby approved, a Phase 2 Site Investigation adhering to British Standard 10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.

If shown to be necessary by the Phase 2 Site Investigation and prior to occupation of the development hereby approved, a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to mitigate any risks to human health, groundwater, and the wider environment. Thereafter, the detailed measures/works approved as part of the Phase 3 remediation scheme shall be completed in full before any permitted building is occupied.

Prior to occupation of the development hereby approved, a validation report shall be submitted to and approved in writing by the local planning authority to show the effectiveness of any remediation scheme. The validation report shall include photographs, material transport tickets and validation sampling. Any such validation should include effective responses to any unexpected contamination discovered during works.

REASON: To protect human health and the environment, in accordance with the National Planning Policy Framework (2023).

- 5 Prior to any works above slab level, a detailed noise protection scheme (NPS), informed by an assessment of the current noise environment, shall be submitted to and approved in writing by the Local Planning Authority.

The NPS shall be designed, specified and constructed so that the sound insulation performance of the structures and the layout of the dwelling hereby approved are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of British Standard 8233:2014 and that the individual noise events do not exceed 45 dB LA,max,F more than 10 times a night.

Where opening windows will lead to an internal noise level increase of 5 dBA or greater above British Standard 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system should not result in British Standard 8233:2014 internal levels being exceeded.

Thereafter, the approved NPS shall be fully implemented prior to occupation of the dwellings hereby approved and shall be retained as such at all times unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard residential amenities, in accordance with the National Planning Policy Framework (2023).

- 6 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) persons responsible for implementing the enhancement measures;
- d) details of initial aftercare and long-term maintenance (where relevant).

Thereafter, the ecological works shall be implemented in accordance with the approved details.

REASON: To conserve and enhance protected and priority species and habitats, in accordance with the National Planning Policy Framework (2023).

- 7 Prior to occupation of the development hereby approved, details of all hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in full accordance with the approved details prior to occupation of the development hereby approved.

The landscaping details to be submitted shall include:

- a) proposed finished levels (earthworks to be carried out);
- b) means of enclosure of the land (boundary treatments);
- c) hard surfacing and other hard landscape features and materials;
- d) existing trees, hedges or other soft features to be retained;
- e) details of planting or features, including specifications of species, sizes, planting centres, number and percentage mix;
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features;
- g) management and maintenance details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and

species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the character and appearance of the area, to preserve the significance of heritage assets, and to safeguard residential amenities, in accordance with the National Planning Policy Framework (2023).

- 8 Prior to occupation of the development hereby approved, an electric vehicle charging point shall be provided on site for each unit. Thereafter, the charging points shall be fully wired and connected, ready to use and shall be maintained as such at all times.

REASON: To encourage the use of electric vehicles for better air quality, in accordance with paragraph 107 of the National Planning Policy Framework (2023).

- 9 Prior to occupation of the development hereby approved, the energy and water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, the development hereby approved shall not be occupied until all the approved energy and water efficiency measures have been implemented.

REASON: To ensure compliance with section 14 of the National Planning Policy Framework (2023).

- 10 Prior to occupation of the development hereby approved, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Thereafter, all external lighting shall be installed in accordance with the specifications and locations set out in the scheme and shall be maintained in accordance with the scheme in perpetuity. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

REASON: To conserve and enhance protected and priority species and habitats, in accordance with the National Planning Policy Framework (2023).

- 11 Prior to first use, details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, only the details thereby approved shall be implemented.

REASON: To safeguard residential amenities, in accordance with the National Planning Policy Framework (2023).

- 12 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety, in accordance with the National Planning Policy Framework (2023).

- 13 There should be no obstruction above ground level within a 2 metre wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided prior to occupation and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety, in accordance with the National Planning Policy Framework (2023).

- 14 All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Letter Report (Skilled Ecology Consultancy Ltd., September 2023). The enhancement measures and/or works shall be carried out in full accordance with the approved details and shall be maintained as such at all times.

REASON: To conserve and enhance protected and priority species and habitats, in accordance with the National Planning Policy Framework (2023).

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Dean Hermitage
Director Planning

- 1 The local planning authority has worked with the applicant in a positive and proactive manner in determining this application.
- 2 Please note that Building Regulations may be required - please contact Uttlesford District Council Building Surveyors on 01799 510538 or 01799 510535. Alternatively email building@uttlesford.gov.uk for further information.
- 3 o ENVIRONMENTAL HEALTH

CR,

Energy saving and renewable technologies should be considered for this development in addition to the electric vehicle charge points, such as solar panels, ground source heat pumps etc in the interests of carbon saving and energy efficiency.

CR,

CR,

The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:

CR,

a. No waste materials should be burnt on the site, instead being removed by licensed waste contractors

CR,

b. No dust emissions should leave the boundary of the site

CR,

c. Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site

CR,

d. Hours of works: works should only be undertaken between 0800 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

CR,

REASON: In the interests of the amenity of surrounding locality residential/business premises.

4 o SPECIAL VERGES OFFICER

CR,

1. All construction operatives are to be made aware of the location of the special Verges UTT57N and UTT57S on the north and south sides of Wenden Road.

CR,

2. Construction traffic is routed away from the special verges to avoid damage from vehicle erosion.

CR,

3. The special verges are not to be used for storage of construction materials.

CR,

4. Construction vehicles should not drive onto the special verges or park on them.

CR,

5. If it is not possible to comply with points 2 and 3 a membrane or barriers are to be used protect the special verges.

CR,

6. No topsoil or other material is to be added to the special verges.

CR,

7. No mowing of the special verges is to be carried out by operatives.

5 o HIGHWAYS

CR,

i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.

CR,

ii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

CR,

iii. There shall be no discharge of surface water onto the Highway.

CR,

iv. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

CR,

v. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

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